

Article IV Fireworks

Sec. 11-56. - Use, shoot, discharge, etc., prohibited.

It shall be unlawful for any person to in any manner use, shoot, discharge, explode, ignite, or display any fireworks within the city, except as provided for in this section.

(Code 1959, § 26-15; Ord. No. 65619, § 1, 9-3-87; Ord. No. 79918, § 2, 3-31-94)

Sec. 11-57. - Display permits.

(a) Any citizen of the city may give a public fireworks display, provided he secures a permit there for from the ~~fire marshal~~ Fire Marshal or his/her designee, as provided in this section. Application there for shall be addressed to the ~~fire marshal~~ Fire Marshal, shall state the name and residence of the applicant, the time and place of the proposed exhibition, a description of the kind, character and quantity of the fireworks intended to be displayed, and shall be accompanied by a cashier's or certified check for the amount of the fireworks permit fee.

(b) The ~~fire marshal~~ Fire Marshal or his/her designee shall grant or reject such application as he sees fit in the reasonable exercise of his discretion. If same is rejected, the check for the amount of the fireworks permit fee shall be returned to the applicant; if it is granted, such check shall be retained as a fee for the permit.

(c) Fire inspectors to be present. For each public display of fireworks under this section, not less than two (2) fire prevention inspectors of the city shall be in attendance during the event. If more than two (2) fire inspectors are required or the inspectors work longer than two (2) hours, the additional expense shall be borne by the applicant for the permit at the rate per man-hour as provided for in section 11-16(k) of the City Code.

(d) No such permit shall be granted to any applicant more than twice during any calendar year, and any fireworks display there under shall be concluded not later than 10:00 p.m. on the date specified under the penalty as provided in section 1-5 of this Code. The display time may be extended past 10:00 p.m. as authorized by the on site inspector and the Fire Marshal or his/her designee.

(e) Reserved.

(f) As used in this section the term "fireworks" shall be given its usual and ordinary meaning, and shall include but not be limited to the following: firecrackers, Roman candles, sparklers, torpedoes, bombs, skyrockets, buzz bombs, atomic wings, aerial flash salutes, and trail blazers.

(Code 1950, § 41-10; Ord. No. 18384, § 1, 10-2-52; Ord. No. 53446, 2-26-81; Ord. No. 65619, § 1, 9-3-87; Ord. No. 70251, §§ 8, 9, 9-14-89; Ord. No. 71014, § 2, 2-1-90; Ord. No. 79918, § 2, 3-31-94; Ord. No. 2010-09-16-0791, § 1(Att. A), 9-16-10)

Sec. 11-58. - Amusement parks utilizing permanent facilities for repeated public fireworks displays.

(a) Authorization. Notwithstanding the requirements of sections 11-56, 11-57 and 11-40 which amend ~~Section 3308.1.1 and Section 3308.1.3 of the 2003 International Fire Code (as amended or changed from time to time)~~ Chapter 56 of the 2012 International Fire Code as amended from time to time, an operator of an amusement park utilizing a permanent facility for repeated public fireworks displays may give nightly fireworks displays at such an amusement park provided he complies with the requirements of this section. As used herein, the term "nightly" shall mean one (1) or more nights during the period covered by the permit. The applicant for a permit under this section

may be the owner or operator (whether an individual, partnership or corporation) of the amusement park or any subsidiary or affiliate company.

(b) Applicability. This section shall apply only if the display facility is constructed for the purpose of multiple or repeat fireworks displays from the same location and the facility is permanent in nature or as approved by the Fire Marshal; however, the use of a floating barge on a lake or other body of water wholly located within the park shall be permitted and shall be considered a permanent display facility. Such a permanent display facility must be located on the grounds of a privately owned, commercially operated park open to the general public which contains various exhibits and devices for entertainment and/or educational purposes and which commercially operated park will operate at least five (5) days per week for at least two (2) months out of each calendar year or as approved by the Fire Marshal.

(c) Annual display permits. Prior to any display of fireworks at such amusement park, the operator must obtain either a single show permit from the city under section 11-57 or an annual display permit from the city under this section 11-58. An annual display permit will authorize the permittee to give nightly fireworks displays at the permittee's amusement park for a period of up to one (1) year from the effective date of issuance. An annual display permit is neither transferable nor assignable.

(d) Application for annual display permit. The initial application shall be addressed ~~to the city council but shall be first submitted~~ to the Fire Marshal who shall, within seven (7) days after receipt of the application, endorse his written recommendation for approval thereon unless there exists some ground for disapproval under this section. The ~~city council~~ Fire Marshal shall pass upon such application within three (3) weeks of receipt and shall approve the same unless grounds for disapproval under subsection 11-58(f) exist. The application shall be accompanied by a cashier's or certified check for the amount as provided for in subsection 11-16(a)(17) of this Code, depending on whether the applicant requests permission for pyrotechnics display only, or fireworks and pyrotechnics displays. The permit shall be issued by the ~~city clerk~~ Fire Prevention Office upon approval of the application by the ~~city council~~ Fire Marshal. If the application is not approved by the Fire Marshal, the applicant may petition the ~~city council~~ Building and Fire Board of Appeals to pass upon such application and the ~~city council~~ Building and Fire Board of Appeals may grant or reject the same within its discretion. A certified copy of the ~~city council's~~ Building and Fire Board of Appeals action shall permit the ~~city clerk~~ Fire Prevention Office to issue the permit, which shall indicate on its face the effective period of the permit. Annual renewal permits may be approved by the ~~fire marshal~~ Fire Marshal.

(e) Application; contents. The application for an annual permit shall be made in writing and submitted to the ~~fire marshal~~ Fire Marshal at least thirty (30) days before the first use of fireworks under the permit. The application shall contain all the information required in ~~section 11-40 (amending 3308.2.3 of the 2003 International Fire Code)~~ Chapter 56 of the 2012 International Fire Code as amended from time to time and in addition shall contain:

- (1) Name and permanent business address of applicant with designation of persons responsible for supervision of such displays;
- (2) Diagram of display facility demonstrating its permanence and location at amusement park as contemplated by paragraph (a) of this section;
- (3) Copy of applicant's state board of insurance license to conduct repeated fireworks displays;
- (4) Copies of all participating pyrotechnicians' state operators license;
- (5) Starting and ending times for each proposed display;

(6) Diagram of fire prevention and protection systems and description of fire safety procedures to be used to demonstrate compliance with paragraphs (n) and (o) of this section; and

(7) A surety bond or certificate of insurance coverage in an amount deemed adequate by the ~~fire marshal~~ Fire Marshal for payment of all damages which may be caused either to a person or persons or to property by reason of the permitted storage and arising from acts of the permittee, his agents and employees or subcontractors, provided, however, the amount of such bond or insurance shall not be required to exceed one million dollars (\$1,000,000.00) per occurrence.

(f) Grounds for disapproval. The ~~fire marshal~~ Fire Marshal may disapprove any application on the following grounds:

(1) Any of the grounds specified in section 11-40 (~~amending 3308.2.4 of the 2003 International Fire Code~~); amending Chapter 56 of the 2012 International Fire Code as amended from time to time

(2) Incompleteness of the application; or

(3) Failure of the applicant to meet the requirements of an amusement park with a permanent display facility as stated in paragraph (a) of this section.

If the ~~fire marshal~~ Fire Marshal does not approve the issuance of the permit, the ~~fire marshal~~ Fire Marshal shall within ten (10) days of the filing of the application for the permit, send to the applicant by certified mail, return receipt requested, a detailed explanation of the basis for refusal.

(g) Special provisions. The ~~fire marshal~~ Fire Marshal may prescribe reasonable special provisions attached to the permit intended to minimize nuisance, prevent fires and explosions, and to protect property and public safety. The Fire Marshal may prescribe additional fire protection safeguards or safety reviews after the issuance of the annual permit should current weather, environmental, or site conditions warrant.

(h) Grounds for revocation. The ~~fire marshal~~ Fire Marshal may revoke an annual permit on any of the following grounds:

(1) Any of the grounds specified in ~~section 11-40 (amending 3308.2.5 of the 2003 International Fire Code)~~ chapter 56 of the 2012 International Fire Code as amended or changed from time to time.

(2) Failure of the permittee to meet the definition for a permanent facility at an amusement park under paragraph (a) of this section;

(3) Failure of the permittee to comply with special provisions prescribed according to paragraph (g) of this section;

(4) Failure of the permittee or operator to discharge a duty imposed on him by paragraphs (k) and (l) of this section;

(5) Failure of the permittee or operator to comply with the fire prevention and protection provisions of paragraph (n) or the fire prevention and safety program provisions of paragraph (o) of this section; or

(6) Failure of the permittee or operator to construct and maintain the display facility in accordance with paragraph (m) of this section.

(7) Changing weather, environmental, or wildfire concerns may create hazardous conditions where a pre-approved site may need to be re-evaluated. The Fire Marshal, or his/her designee, shall notify permit holders within 72 hours of the next scheduled display that a site safety evaluation based on the changing conditions is required. The Fire Marshal may revoke the permit if additional approved fire prevention safeguards addressing the conditions are not provided.

(i) Revocation; notice. The ~~fire marshal~~ Fire Marshal shall, within five (5) days from the date of revocation, send to the permittee by certified mail, return receipt requested, a written statement explaining the basis of the revocation.

Exception: Revocation under Section 11-58 (h) (7).

(j) Appeal from refusal to issue annual permit or from decision to revoke. If the ~~fire marshal~~ Fire Marshal refuses to approve the application for a permit under this section, or the ~~fire marshal~~ Fire Marshal makes a decision to revoke a permit issued under this section, that action is final unless the applicant or permittee, within ten (10) days after receiving a written notice from the ~~fire marshal~~ Fire Marshal of the action, files a written appeal with the ~~clerk of the City of San Antonio~~ Building and Fire Board of Appeals for review and decision by the ~~San Antonio City Council~~ Building and Fire Board of Appeals. The ~~council~~ Building and Fire Board of Appeals shall hear the appeal within twenty (20) days of the filing of the appeal with the ~~city clerk~~ Building and Fire Board of Appeals.

(k) Duties of the permittee. A permittee shall:

- (1) Upon request, make his permit available for inspection to a member of the fire department, police officer or other authorized person;
- (2) Notify the ~~fire marshal~~ Fire Marshal of the loss or destruction of an unexpired permit or license, notice to be given immediately upon discovery of the loss or destruction;
- (3) Secure a replacement permit for that lost or destroyed;
- (4) Comply immediately with the ~~fire marshal's~~ Fire Marshal's order to dispose of fireworks which become hazardous during the performance of a permitted activity;
- (5) Return to the ~~fire marshal~~ Fire Marshal any permit or license of the city upon its expiration and, if no successor permit has been issued or the permit renewed, a detailed statement on the disposition of unused fireworks in the possession of the permittee upon expiration of the permit;
- (6) Comply with special provisions prescribed according to paragraph (g) of this section;
- (7) Construct and maintain an adequate fire prevention and protection system according to paragraph (n) of this section; and
- (8) Operate an adequate fire prevention and safety program according to paragraph (o) of this section.

(l) Duties of the operator. The operator of a public fireworks display pursuant to this section shall:

- (1) Restrain spectators by natural or manmade barriers at least two hundred (200) feet from the launch site;
- (2) Fire projectiles:
 - (a) The range of aerial display shall be not more than eight hundred (800) feet vertically and the fireworks shall be discharged vertically from steel, fiber or plastic tubes; or
 - (b) So that the debris will fall in a body of water;
- (3) Maintain an unobstructed spatial separation of:
 - (a) Six hundred (600) feet between the ignition point and a school; and

(b) Two hundred (200) feet between the ignition point and a highway, railroad or building open to the public other than a school;

(4) Discontinue the display if the wind carries dangerous fireworks debris (i.e. live shells or flaming debris) to adjoining property or if there are steady winds of twenty-five (25) mph or more at the time of the display;

(5) Not use plastic shells unless specifically approved in writing by the ~~fire marshal~~ Fire Marshal;

(6) Immediately after each display: (a) Search the display area for unfired fireworks or fireworks debris; and

(b) Safely dispose of unfired fireworks or firework debris in a manner approved by the ~~fire marshal~~ Fire Marshal;

(7) Conduct all display operations under the supervision of a properly licensed State of Texas licensed pyrotechnician; and

(8) Comply with all permit special provisions as prescribed by the ~~fire marshal~~ Fire Marshal pursuant to paragraph (g) of this section.

(m) Permanent display facility; construction requirements. The permanent display facility shall be designed to assure continuous compliance with ~~section 11-58(1) hereof and section 11-40 (amending 3308.2.8 of the 2003 International Fire Code)~~. Chapter 56 of the 2012 International Fire Code as amended or changed from time to time. In addition, the ~~fire marshal~~ Fire Marshal may prescribe reasonable requirements for construction of such facilities for the purposes of minimizing nuisance, preventing fires and explosions, and protecting property and public safety.

(n) Fire prevention and protection system. All permanent display facilities under this section shall construct and maintain an adequate fire prevention and protection system which shall include the following:

(1) Notwithstanding the requirements of ~~section 11-40 (amending 3308.1.4 of the 2003 International Fire Code)~~ Chapter 56 of the 2012 International Fire Code as amended or changed from time to time, for each public display, the operator shall have at least one (1) trained and experienced in-house safety officer or in-house firefighter in attendance;

(2) For each public display, an operable privately owned fire truck approved by the ~~fire marshal~~ Fire Marshal shall be maintained on the premises of the park or the park shall at its expense have arranged for such a vehicle to be provided by the City of San Antonio or other fire department approved by the ~~fire marshal~~ Fire Marshal;

(3) During any display, air pressurized water hand held extinguishers or other approved portable extinguishers will be available for immediate use; and

(4) Any other reasonable fire prevention and protection systems prescribed by the ~~fire marshal~~ Fire Marshal.

(o) Fire prevention and safety program. All permanent display facilities under this section shall develop and utilize the following program for fire prevention, fire protection and safety:

(1) An annual training program for in-house firefighters, including fire drills at the permanent display facility. Written guidelines for this training program shall be submitted to the ~~fire marshal~~ Fire Marshal for his approval; and

(2) An annual staff training program for all staff handling the fireworks which provides for procedures to be followed for safety and evacuation in the event of a fire or explosion. Written guidelines for this training program shall be submitted to the ~~fire marshal~~ Fire Marshal for his approval.

(p) Limitation on time and number of displays. No displays authorized by this section 11-58 shall be commenced prior to the hour of 9:00 a.m. or later than 11:00 p.m.; provided however, fireworks displays may be commenced after 11:00 p.m. on December 31st of any year, but before 1:00 a.m. on the following January 1st if such displays comply with all other requirements of the code. Any display authorized under this section shall be completed within one hour after the time the display is commenced. Display time limits on the day of the display may be extended with the approval of the on-site fire inspector and the Fire Marshal.

The use of Class C special effects pyrotechnics such as smoke effects, flash effects, etc. in shows shall not be subject to any time or number of display restrictions.

(q) Class C. Special effects pyrotechnics. Class C special effects pyrotechnics such as smoke effects, flash effects, etc. may be used by the holder of an annual display permit under this section 11-58 in shows without meeting the requirements of a display under this section 11-58 or section 11-57; provided, (i) the use of all such Class C devices complying with all applicable federal rules, laws and regulations for the use and storage of such Class C fireworks and (ii) the application of the Class C fireworks in the show has been approved by the ~~fire marshal~~ Fire Marshal prior to the firework's first use in each new show. Approval of an application in one show shall constitute continuing approval of the same application in repeat performances of the same show.

(Ord. No. 66645, Att. A, 2-25-88; Ord. No. 75274, § 1, 2-20-92; Ord. No. 79918, § 2, 3-31-94; Ord. No. 99734, §§ 4, 5, 9-16-04; Ord. No. 99482, § 2, 7-22-04)

Sec. 11-59. - Storage of fireworks.

(a) Authorization. Notwithstanding the requirements of ~~Section 11-40 which amends 3308.1.2 and 3301.2.6 of the 2003 International Fire Code (as amended or changed from time to time)~~ chapter 56 of the 2012 International Fire code as amended or changed from time to time and subject to the requirements of state law, an operator of an amusement park utilizing permanent facilities for repeated public fireworks displays and holding a valid annual display permit pursuant to section 11-58 may store fireworks on the amusement park property provided he obtains an annual storage permit from the ~~city council~~ Fire Marshal and provided that the requirements of this section are met. Annual storage permits issued pursuant to this section are neither transferable nor assignable. The applicant for a permit under this section may be the owner or operator (whether an individual, partnership or corporation) of the amusement park or any subsidiary or affiliated company.

(b) Application for storage permit. The application shall be addressed to the ~~city council but shall first be submitted to the building inspector, fire chief, and Fire Marshal~~, who shall, within seven (7) days after receipt of the application, endorse ~~their~~ his/her written recommendation for approval thereon unless there exists some ground for disapproval under this section. The ~~city council~~ Fire Marshal shall pass upon such application within three (3) weeks of its receipt and shall approve the same unless grounds for disapproval exist under section 11-59(d) hereof. The application shall be accompanied by a cashier's or certified check for the amount as provided for in section 11-16(a)18 of the City Code. The permit shall be issued by the ~~city clerk~~ Fire Prevention Office upon approval of the application by the ~~city council~~ Fire Marshal. If the application is not approved ~~by all three (3) city officials~~, the application may be presented to the ~~city council~~ Building and Fire Board of Appeals which may then pass upon such application and may grant or reject same within its discretion. A certified copy of the ~~city council's~~ Building and Fire Board of Appeals action of approval shall be all that is required for the ~~city clerk~~ Fire Prevention Office to issue the permit.

(c) Application; contents. The application for an annual storage permit shall be addressed to the city council and shall contain the following information:

- (1) Name and permanent business address of the applicant with designation of persons responsible for supervision of such storage;
- (2) A surety bond or certificate of insurance coverage in an amount deemed adequate by the ~~fire marshal~~ Fire Marshal for payment of all damages which may be caused either to a person or persons or to property by reason of the permitted storage and arising from acts of the permittee, his agents and employees or subcontractors, provided, however, the amount of such bond or insurance shall not be required to exceed one million dollars (\$1,000,000.00) per occurrence;
- (3) Maximum amount of each general type or class of fireworks to be stored at the park at any one time;
- (4) Name and address of the company(s) supplying the fireworks;
- (5) Detailed diagram of the proposed storage facility which demonstrates compliance with the construction requirements of paragraph (h) of this section; and
- (6) Detailed operating procedures of the proposed storage facility which demonstrates compliance with paragraphs (i) and (k) of this section.

(d) Grounds for disapproval. The ~~fire marshal~~ Fire Marshal may disapprove any application on the following grounds:

- (1) Incompleteness of the application;
- (2) Failure of the applicant to hold a valid annual display permit under section 11-58
- (3) Applicant has intentionally made false statements as to a material matter in the permit application;
- (4) Applicant is under indictment for a felony or has been finally convicted of a felony offense within the five-year period immediately preceding the date of filing the application;
- (5) Applicant was finally convicted of a misdemeanor violation of an explosives law within the two-year period immediately preceding the filing of the application;
- (6) Applicant has held a permit under section 11-57 or 11-58 or this 11-59 and such permit was revoked within the one year period immediately preceding the filing of the application; or
- (7) The applicant has been adjudicated a mental defective; is an unlawful user of or addicted to a controlled substance or dangerous drug; or suffers from any other handicap, infirmity, defect, or condition which might reasonably diminish his competency to safely conduct the proposed activity and/or would create an unreasonable risk of injury to life or property in the performance of the proposed activity.

(e) Special provisions. The ~~fire marshal~~ Fire Marshal may prescribe reasonable special provisions attached to the permit intended to minimize nuisance, prevent fires and explosions, and to protect property and public safety.

(f) Grounds for revocation. The ~~fire marshal~~ Fire Marshal may revoke an annual permit on any of the following grounds:

- (1) If the permittee intentionally makes a false statement as to a material matter in the permit application;
- (2) If the permittee knowingly allows another to use his permit;
- (3) If the permittee fails to comply with any special provisions of the permit;
- (4) If the permittee fails, within the applicable time period, to comply with an order of the ~~fire marshal~~ Fire Marshal pursuant to this section; or
- (5) If the permittee fails to comply with any of the requirements of paragraphs (i), (j), (k), or (l) of this section.

(g) Revocation; notice. The ~~fire marshal~~ Fire Marshal shall, within five (5) days from the date of revocation, send to the permittee by certified mail, return receipt requested, a written statement explaining the basis of the revocation and the effective date which shall allow permittee a reasonable period of time to remove the fireworks from the storage facility.

(h) Appeal from refusal to issue permit; from decision to revoke. If the ~~fire marshal~~ Fire Marshal refuses to approve the issuance of a permit issued under this section, that action is final unless the applicant or permittee, within ten (10) days after receiving a written notice from the ~~fire marshal~~ Fire Marshal of the action, files a written appeal with the clerk of the City of San Antonio for review and determination by the ~~San Antonio City Council~~ Building and Fire Board of Appeals [which] shall hear the appeal within twenty (20) days of the filing of the appeal.

(i) Storage construction requirements. All fireworks other than those to be used in a display to occur within twelve (12) hours must be stored in magazines meeting the construction requirements of this paragraph. Each such magazine shall be constructed and maintained to be:

- (1) Bullet resistant;
- (2) Non-combustible or flame retardant;
- (3) Moisture resistant adequate to prevent dampening of fireworks or explosive ingredients;
- (4) Adequately ventilated to prevent dampening or heating of fireworks or explosive ingredients with ventilation covered by a screen of a size of mesh adequate to prevent entry of sparks and rodents;
- (5) The owner or operator shall construct and maintain magazines using one of the following assemblies:
 - (a) Masonry units at least eight (8) inches thick, with all hollow spaces filled with concrete, well-tamped sand, or equivalent material;
 - (b) Reinforced concrete of at least six (6) inches thick;
 - (c) Two (2) layered fourteen (14) gauge steel, with layers separated by at least six (6) inches of concrete, well-tamped sand, or equivalent material;
 - (d) One (1) layered six (6) gauge steel, lined on the interior with wood at least four (4) inches thick;
 - (e) Two (2) layered six (6) gauge steel, with layers separated by a one-half (½) inch air space and lined on the interior with wood at least two (2) inches thick or two (2) layered

wood with layers at least two (2) inches thick, and separated by four (4) inches of concrete, well-tamped sand, or equivalent material;

(f) A portable indoor magazine which meets the requirements of all applicable federal rules and regulations for the storage of fireworks used in conjunction with permanent magazines.

(6) Floors of all non-portable magazines shall be securely anchored in place and shall be capable of withstanding the loads imposed;

(7) The magazine shall contain one (1) or more doors, each of which is bullet resistant, weather resistant, fire resistant and of strength equal to the magazines' assembly described in paragraph (i)(5) and secured with hinges and hasps attached to the door and magazine by means of welding, riveting, or bolting with fastening nuts on the inside of the magazine and equipped with a substantial and adequate means of locking as approved by the ~~fire marshal~~ Fire Marshal. Locking devices shall be provided with protectors to minimize the possibility of tampering;

(8) The magazine interior shall, to the extent reasonably possible, have a smooth finish with all nails, screws, bolts, and nuts countersunk or blinded;

(9) Heating and lighting sources, if any, within the magazine shall be limited to those artificial sources having an operating temperature less than the ignition temperature of the material stored; and

(10) Unobstructed spacing separation between magazines and occupied buildings, passenger railways, public highways, and other magazines, as required by the ~~fire marshal~~ Fire Marshal, shall be maintained.

(j) Maintenance and safety. The operator shall comply with the following safety procedures intended to minimize fires and explosions:

(1) The magazine shall be maintained clean, dry, and free of grit, paper, empty packages, rubbish, and other combustible materials;

(2) Magazines shall be limited to the storage of fireworks and detonating materials only. Detonating materials must be stored in separate magazines. No metal tools shall be stored inside the same magazine as any fireworks or detonating materials;

(3) The land surrounding magazines shall be kept clear of brush, dried grass, leaves, trash and debris for a distance of at least fifty (50) feet;

(4) Smoking, matches, open flames, spark producing devices and firearms shall be prohibited inside or within fifty (50) feet of the magazines. Combustible material shall not be stored within fifty (50) feet of magazines;

(5) A written record of all fireworks received and stored shall be maintained at the site and such records shall be made available to the ~~fire marshal~~ Fire Marshal upon request;

(6) When any fireworks have deteriorated to an extent that they are in an unstable or dangerous condition, then the operator shall immediately notify the ~~fire marshal~~ Fire Marshal of this fact. When ordered to do so by the ~~fire marshal~~ Fire Marshal, the operator shall destroy such fireworks or explosive ingredients in a manner approved by the ~~fire marshal~~ Fire Marshal;

(7) Empty containers of fireworks shall not be used for any purpose. The operator shall destroy all empty containers of fireworks in a safe manner as prescribed by the ~~fire marshal~~ Fire Marshal;

(8) The operator shall comply with any other reasonable special provisions prescribed by the ~~fire marshal~~ Fire Marshal intended to prevent fires and explosions.

(k) Magazines; security. The operator shall comply with the following security procedures:

(1) Magazines shall be kept locked at all times except during inspection, loading and unloading of fireworks;

(2) Magazines shall be in the custody of competent persons at all times, each of which must be at least twenty-one (21) years of age. Each such custodian shall be responsible for compliance with all safety and security requirements. No person may entrust the custody of the magazines to a person whom he knows or has reason to believe is legally incompetent;

(3) The magazine shall be located in restricted areas which are not readily open to the general public visiting the park;

(4) The doors of magazines shall display conspicuous warning signs as designed in conformity with ~~fire marshal~~ Fire Marshal specifications. Such warning signs shall also be posted at least twenty-five (25) feet, but not more than two hundred (200) feet, from the magazine along its vehicular and pedestrian approaches;

(5) No non-essential or unauthorized personnel shall enter the magazine. Magazines shall be situated such that access by the general public or other non-essential or unauthorized personnel is precluded by natural or man-made barriers, such as walls, pits, fencing, or bodies of water;

(6) The operator shall immediately notify the ~~fire marshal~~ Fire Marshal and the police department of any suspected theft of fireworks; and

(7) The operator shall comply with any other reasonable special provisions prescribed by the ~~fire marshal~~ Fire Marshal intended to ensure adequate security for stored fireworks.

(l) The operator shall allow entry for inspection by the ~~fire marshal~~ Fire Marshal or his designees at reasonable times to ensure compliance with this section.

(Ord. No. 66645, Att. A, 2-25-88; Ord. No. 79918, § 2, 3-31-94; Ord. No. 99482, § 2, 7-22-04)

Secs. 11-60—11-70. - Reserved.